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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,374	02/12/2002	John W. Berndt	D/A0A31 (1508/3350)	4329
7590	09/15/2006			EXAMINER SCHLACK, SCOTT A
Gunnar G. Leinberg, Esq. Nixon Peabody LLP Clinton Square P.O. Box 31051 Rochester, NY 14603-1051			ART UNIT 2625	PAPER NUMBER
DATE MAILED: 09/15/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/073,374	BERNDT ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Scott A. Schlack	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12 February 2002.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-31 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-31 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 12 February 2002 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/08/06, 02/12/02</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|   | 6) <input type="checkbox"/> Other: _____ .                        |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Kujirai (US 2006/0119892).
3. With respect to claim 1, Kujirai discloses a system (Fig 1) comprising: an access code system that embeds at least one access code in a job stream, each embedded code associated with at least one device feature; and a job transmission system that transmits the job stream to a device (page 1, paragraphs 0007-0008 and page 3 paragraph 0038).

The examiner views the user assigned password, which is embedded in or appended to the print job information and transmitted in the job stream, to be equivalent to an access code. The examiner notes that this access code is associated with the printer (device) features as depicted in Figure 7 (page 1, paragraphs 0007-0008 and page 3 paragraph 0038). The job stream is sent from the host computer (3000 of Fig 1) to the printer device (1500 of Fig 1) via a transmission system (21 of Fig 1).

4. Claim 6 recites identical features as claim 1, except claim 6 is a method claim. Thus, arguments similar to that presented above for claim 1 are also equally applicable to claim 6.
5. Claim 10 recites identical features as claim 1, except claim 10 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 1 are also equally applicable to claim 10. Applicant's attention is further invited to Memory 2, 3, 13 and 19 of Fig 1 for a computer readable medium disclosed by Kujirai.
6. With respect to claim 2, Kujirai discloses the system as set forth in claim 1 wherein the embedded access code (password) further comprises at least one job control entity or at least one page description language (PDL) instruction having a unique identifier (page 3, paragraph 0037, lines 22-30 and paragraph 0038).

The examiner notes that the print data, including the password, is sent to the printer after conversion to PDL (page 3, paragraph 0037, lines 22-30 and paragraph 0038, lines 1-7). Therefore, the examiner views the password to comprise at least one PDL instruction having a unique identifier. The password can also be interpreted as being comprised of at least one job control entity as it controls the print job's access at the printer.

7. Claim 7 recites identical features as claim 2, except claim 7 is a method claim. Thus, arguments similar to that presented above for claim 2 are also equally applicable to claim 7.
8. Claim 11 recites identical features as claim 2, except claim 11 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 2 are

also equally applicable to claim 11. Applicant's attention is further invited to Memory 2, 3, 13 and 19 of Fig 1 for a computer readable medium disclosed by Kujirai.

9. With respect to claim 3, Kujirai discloses the system as set forth in claim 1 wherein the job stream further comprises a file having at least one page description language instruction (page 3, paragraph 0037, lines 22-30 and paragraph 0038).

The examiner notes that the print data stream is PDL and notes that the printer is said to recognize the job language (page 3, paragraph 0037, lines 22-30 and paragraph 0038).

10. Claim 8 recites identical features as claim 3, except claim 8 is a method claim. Thus, arguments similar to that presented above for claim 3 are also equally applicable to claim 8.

11. Claim 12 recites identical features as claim 3, except claim 12 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 3 are also equally applicable to claim 12. Applicant's attention is further invited to Memory 2, 3, 13 and 19 of Fig 1 for a computer readable medium disclosed by Kujirai.

12. With respect to claim 4, Kujirai discloses the system as set forth in claim 1 wherein the at least one device feature comprises color printing, monochrome printing, duplex printing (page layout of Fig 7), a mailbox destination to send printed documents to, manual feed source printing (paper source of Fig 7), high page count printing (number of copies of Fig 7), non-business hours printing, large media printing (custom paper size of Fig 7), printing media type, printing paper size (custom paper size of Fig 7), printing paper color and network facsimile document sending.

The examiner notes that the device features or settings, to which the password is inherently associated with, comprise the at least one feature of printing paper size (custom paper size of Fig 7).

13. Claim 9 recites identical features as claim 4, except claim 9 is a method claim. Thus, arguments similar to that presented above for claim 4 are also equally applicable to claim 9.

14. Claim 13 recites identical features as claim 4, except claim 13 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 4 are also equally applicable to claim 13. Applicant's attention is further invited to Memory 2, 3, 13 and 19 of Fig 1 for a computer readable medium disclosed by Kujirai.

15. With respect to claim 5, Kujirai discloses the system as set forth in claim 1 wherein the device comprises a printer (Printer 1500 of Fig 1).

16. With respect to claim 14, Kujirai discloses a system comprising: a parsing system that parses a job stream to find at least one embedded access code; an access code identification system that identifies each embedded access code matching a stored access code; and an authorization system that authorizes at least one device feature associated with each identified matching access code (page 3, paragraph 0037, lines 22-30 and paragraphs 0038-0039).

The examiner notes that the print data and accompanying password, sent by the host computer, is parsed at the printer to allow for the identification, extraction and storage of the password. This stored password or access code is then matched to the user-inputted password at the printer. The printer then acts as an authorization system

in accepting or declining the password match. As part of the authorization the at least one device feature (device settings of Fig 7) associated with the password (and print job) are authorized to facilitate their respective printing functionality (page 3, paragraph 0037, lines 22-30 and paragraphs 0038-0039).

17. **Claim 20** recites identical features as claim 14, except claim 20 is a method claim. Thus, arguments similar to that presented above for claim 14 are also equally applicable to claim 20.

18. **Claim 26** recites identical features as claim 14, except claim 26 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 14 are also equally applicable to claim 26. Applicant's attention is further invited to Memory 2, 3, 13 and 19 of Fig 1 for a computer readable medium disclosed by Kujirai.

19. With respect to claim 15, Kujirai discloses the system as set forth in claim 14 wherein the at least one device feature comprises color printing, monochrome printing, duplex printing (page layout of Fig 7), a mailbox destination to send printed documents to, manual feed source printing (paper source of Fig 7), high page count printing (number of copies of Fig 7), non-business hours printing, large media printing (custom paper size of Fig 7), printing media type, printing paper size (custom paper size of Fig 7), printing paper color and network facsimile document sending.

The examiner references the applicant to the explanation given above for claim 4.

20. **Claim 21** recites identical features as claim 15, except claim 21 is a method claim. Thus, arguments similar to that presented above for claim 15 are also equally applicable to claim 21.

21. **Claim 27** recites identical features as claim 15, except claim 27 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 15 are also equally applicable to claim 27. Applicant's attention is further invited to Memory 2, 3, 13 and 19 of Fig 1 for a computer readable medium disclosed by Kujirai.

22. With respect to claim 16, Kujirai discloses the system as set forth in claim 14 wherein the embedded access code (password) further comprises at least one job control entity or at least one page description language (PDL) instruction having a unique identifier (page 3, paragraph 0037, lines 22-30 and paragraph 0038).

The examiner references the applicant to the explanation given above for claim 2.

23. **Claim 22** recites identical features as claim 16, except claim 22 is a method claim. Thus, arguments similar to that presented above for claim 16 are also equally applicable to claim 22.

24. **Claim 28** recites identical features as claim 16, except claim 28 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 16 are also equally applicable to claim 28. Applicant's attention is further invited to Memory 2, 3, 13 and 19 of Fig 1 for a computer readable medium disclosed by Kujirai.

25. With respect to claim 17, Kujirai discloses the system as set forth in claim 14 wherein the job stream further comprises a file having at least one job instruction and at

least one feature setting instruction, each feature setting instruction corresponding to one of the authorized device features or to an unauthorized device feature (device settings or features of Fig 7 and page 3, paragraph 0037- 0039).

The examiner notes that the job stream or PDL data sent to the printer inherently comprises data having at least one job instruction and at least one feature setting instruction. Each feature setting instruction (Fig 7) corresponds to one of the authorized device features or to an unauthorized device features, depending on if the password given by the user matches the stored password in the printer (device settings or features of Fig 7 and page 3, paragraph 0037- 0039).

26. Claim 23 recites identical features as claim 17, except claim 23 is a method claim. Thus, arguments similar to that presented above for claim 17 are also equally applicable to claim 23.

27. Claim 29 recites identical features as claim 17, except claim 29 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 17 are also equally applicable to claim 29. Applicant's attention is further invited to Memory 2, 3, 13 and 19 of Fig 1 for a computer readable medium disclosed by Kujirai.

28. With respect to claim 18, Kujirai discloses the system as set forth in claim 17 further comprising a device (printer 1500 of Fig 1) that executes the job instructions and only the feature setting instructions corresponding to the authorized device features (device settings or features of Fig 7 and page 3, paragraph 0037- 0039).

The examiner notes that the printer executes the job instructions and only the feature setting instructions corresponding to the authorized device features in the case

where the password has been matched to the stored password (device settings or features of Fig 7 and page 3, paragraph 0037- 0039)

29. Claim 24 recites identical features as claim 18, except claim 24 is a method claim. Thus, arguments similar to that presented above for claim 18 are also equally applicable to claim 24.

30. Claim 30 recites identical features as claim 18, except claim 30 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 18 are also equally applicable to claim 30. Applicant's attention is further invited to Memory 2, 3, 13 and 19 of Fig 1 for a computer readable medium disclosed by Kujirai.

31. With respect to claim 19, Kujirai discloses the system as set forth in claim 18 wherein the device comprises a printer (Printer 1500 of Fig 1), the printer executing the job instructions and the authorized feature setting instructions to print a document (device settings or features of Fig 7 and page 3, paragraph 0037- 0039).

The examiner notes that the printer executes the job instructions and the authorized feature setting instructions to print a document when the password has been matched to the stored password (device settings or features of Fig 7 and page 3, paragraph 0037- 0039)

32. Claim 25 recites identical features as claim 19, except claim 25 is a method claim. Thus, arguments similar to that presented above for claim 19 are also equally applicable to claim 25.

33. Claim 31 recites identical features as claim 19, except claim 31 is a computer readable medium claim. Thus, arguments similar to that presented above for claim 19

are also equally applicable to claim 31. Applicant's attention is further invited to Memory 2, 3, 13 and 19 of Fig 1 for a computer readable medium disclosed by Kujirai.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kadowaki (US 6,313,921) also discloses a print job authorization system pertaining to personalized settings.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott A. Schlack whose telephone number is (571)272-7954. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571)272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

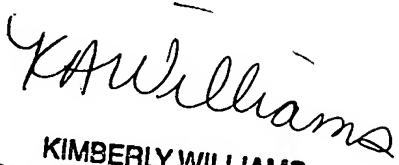
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Art Unit: 2625

**Note to the applicant:** Art Unit 2624 has been redesignated as Art Unit 2625 due to organizational restructuring with the USPTO.



Scott A. Schlack



Kimberly Williams  
KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER